

Eugene Kim, SBN: 221753
Email: eugene.kim@streamkim.com
STREAM KIM HICKS WRAGE & ALFARO, PC
3403 Tenth Street, Suite 700
Riverside, CA 92501
Telephone: (951) 783-9470
Facsimile: (951) 783-9475

*Attorneys for Applicant,
Jay Park*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re Ex Parte Application of) CASE NO. 5:25-mc-80005
JAY PARK,)
) DECLARATION OF JIHYUN WOO IN
) SUPPORT OF APPLICANT'S EX PARTE
) APPLICATION FOR AN ORDER
) PURSUANT TO 28 U.S.C. § 1782
) AUTHORIZING DISCOVERY FOR USE
) IN A FOREIGN CIVIL PROCEEDING
)

I, Jihyun Woo, declare that:

1. I am an attorney licensed to practice law in the Republic of Korea (“**Korea**”) since 2016. I am a Partner at Shinwon LLC (“**Shinwon**”), a law firm in Seoul, Korea. I have personal knowledge of the matters stated herein, unless expressly stated otherwise.

2. I submit this declaration in support of the Applicant’s Ex Parte Application for an Order Pursuant to 28 U.S.C. § 1782 Authorizing Discovery for Use in a Foreign Civil Proceeding (“**Application**”).

3. Jay Park retained Shinwon to represent him in a matter involving anonymous person or entity associated with the YouTube handle @뿌링사무소 ("Bburingsamuso") ("YouTuber").

4. On the YouTube platform, the YouTuber published a number of videos, community posts, and comments containing false, defamatory and/or harassing statements about

1 the Applicant.¹ I have reviewed the posts at issue in their original Korean language and the
 2 Declaration of Jisu Lee, who further describes some of them. I agree with Jisu Lee that the words
 3 and expressions used by the YouTuber appear to indicate that he or she is both a native Korean
 4 speaker and located in Korea. I also agree that there is nothing to indicate that the YouTuber is
 5 non-Korean citizens or that they reside outside of Korea.

6 5. On December 10, 2024, the Applicant filed a civil lawsuit against the YouTuber
 7 in Korea for defamation pursuant to Articles 750 and 751 of the Civil Act of Korea (“Civil
 8 Matter”). Applicant is claiming KRW 31,000,000 (approx. USD \$21,100) against the Youtuber,
 9 with interest accruing at 12% per annum from the date of the service of the civil complaint until
 10 the date payment is made in full. I am the attorney of record for the Applicant in the Civil
 11 Matter.

12 6. Articles 750 and 751 of the Civil Act (“민법” in the original Korean language)
 13 states:²

14 *Article 750 (Definition of Torts)*

15 *Any person who causes losses to or inflicts injuries on another person by an
 16 unlawful act, intentionally or negligently, shall be bound to make
 compensation for damages arising therefrom.*

17 *Article 751 (Compensation for Non-Economic Damages)*

18 *(1) A person who has injured the person, liberty or fame of another or has
 19 inflicted any mental anguish to another person shall be liable to make
 compensation for damages arising therefrom.*

20 *(2) The court may order the guilty party to discharge the compensation
 21 mentioned in paragraph (1) by periodical payments, and may order such guilty
 22 parties to offer reasonable security in order to insure his/her performance of such
 obligations.*

23 7. In Korea, the court conducts service of process based on the information provided
 24 by the plaintiff. Without the YouTuber’s personally identifiable information (“PII”), such as their
 25 name(s), date(s) of birth, gender(s), phone number(s) and address(es), the Applicant will not be

26 ¹ In Korea, it is generally illegal for an individual to defame, harass or otherwise make false allegations against
 27 another.

28 ² English translation provided by Korea Legislation Research Institute available at
<https://www.law.go.kr/LSW/eng/engLsSc.do?menuId=2§ion=lawNm&query=%EB%AF%BC%EB%B2%95+civil+act+&x=28&y=9>.

able to provide the Korean civil court sufficient information to serve the civil complaint.

Therefore, the Applicant request Section 1782 discovery in order to proceed with the Civil Matter.

8. Because Google LLC (“**Google**”) is not a party to the Civil Matter and the Applicant seeks information held by Google in the United States (“**U.S.**”),³ it is beyond the reach of the Korean courts’ jurisdiction.

9. As an experienced attorney in Korea, I am aware that Korean courts are receptive to receiving the U.S. federal courts' assistance in discovery, including through Section 1782

10. I am not aware of any restrictions under Korean law that would limit or prevent the U.S. federal courts from assisting the Applicant obtain evidence to identify the YouTuber for use in a Korean court proceeding.

11. Additionally, I am not aware of any restrictions under Korean law that would limit or otherwise prevent the Applicant from gathering evidence under Section 1782 in the manner proposed and for the reasons stated in the Application.

12. The Applicant is not attempting to circumvent any foreign proof-gathering restrictions or policies of Korea or the U.S. Based on my experience and knowledge, the requested PII is admissible in the Civil Matter.

13. Based upon the foregoing, the Applicant seeks information that is critical to the Civil Matter in Korea, and the proposed subpoena is narrowly tailored and limited to seek information that is needed to identify the anonymous YouTuber. I am informed and believe that Google maintains the requested information in its regular course of business.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 7, 2025


Jihyun Woo

³ Google's principal office is located at 1600 Amphitheatre Parkway, Mountain View, California 94043; attached as **Exhibit 1** is a true and a correct copy of Google's Statement of Information filed with the Office of the California Secretary of State on September 7, 2023.

EXHIBIT 1



STATE OF CALIFORNIA
Office of the Secretary of State
STATEMENT OF INFORMATION
LIMITED LIABILITY COMPANY

California Secretary of State
 1500 11th Street
 Sacramento, California 95814
 (916) 653-3516

For Office Use Only

-FILED-

File No.: BA20231413505
 Date Filed: 9/7/2023

Entity Details	
Limited Liability Company Name	GOOGLE LLC
Entity No.	201727810678
Formed In	DELAWARE
Street Address of Principal Office of LLC	
Principal Address	1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043
Mailing Address of LLC	
Mailing Address	1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043
Attention	Attn: Legal Dept.
Street Address of California Office of LLC	
Street Address of California Office	1600 AMPHITHEATRE PARKWAY MOUNTAIN VIEW, CA 94043
Manager(s) or Member(s)	
Manager or Member Name	Manager or Member Address
XXVI Holdings Inc.	1600 Amphitheatre Parkway Mountain View, CA 94043
Agent for Service of Process	
California Registered Corporate Agent (1505)	CORPORATION SERVICE COMPANY WHICH WILL DO BUSINESS IN CALIFORNIA AS CSC - LAWYERS INCORPORATING SERV Registered Corporate 1505 Agent
Type of Business	
Type of Business	TECHNOLOGY COMPANY
Email Notifications	
Opt-in Email Notifications	Yes, I opt-in to receive entity notifications via email.
Chief Executive Officer (CEO)	
CEO Name	CEO Address
Sundar Pichai	1600 Amphitheatre Parkway Mountain View, CA 94043
Labor Judgment	
No Manager or Member, as further defined by California Corporations Code section 17702.09(a)(8), has an outstanding final judgment issued by the Division of Labor Standards Enforcement or a court of law, for which no appeal is pending, for the violation of any wage order or provision of the Labor Code.	

Electronic Signature

By signing, I affirm under penalty of perjury that the information herein is true and correct and that I am authorized by California law to sign.

Kenneth H. Yi

Signature

09/07/2023

Date

B2094-5691 09/07/2023 10:26 AM Received by California Secretary of State